

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**Case No. 1:25-cv-11048-ADB**

President and Fellows of  
Harvard College,

Plaintiff,

v.

United States Department of Health  
and Human Services; et al.,

Defendants.

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**MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF**

Robert A. Pietz, appearing *pro se*, respectfully moves for leave to file the attached materials in the above-captioned matter, and states as follows:

1. This case is not a routine dispute over administrative procedure. It presents grave structural concerns involving **jurisdictional fabrication, procedural misrepresentation, and tri-branch manipulation**, directly implicating the integrity of constitutional adjudication and the faithful application of the *Court's Local Rules*.

2. Beyond technical defects, this matter raises questions of *urgent national importance*.

It concerns whether the leadership of one of the country's most powerful academic institutions may *circumvent constitutional adjudication through unchecked procedural manipulation*.

3. If left unaddressed, such tactics risk establishing precedent for evasive corporate behavior, thereby weakening judicial oversight and diminishing public confidence in the administration of justice.

4. The attached [Proposed] *Amicus Curiae* Brief (**Exhibit A**) is submitted to assist the Court in evaluating the broader institutional consequences of allowing Harvard's litigation strategy to proceed unchecked.

5. Specifically, the brief details how Harvard's tactics, including **misclassification of Nature of Suit Code**, expedited declaratory gaming, and manipulation of judicial assignment reflect not mere error, but a coordinated jurisdictional scheme designed to evade normal adjudicative safeguards.

6. *Amicus* respectfully submits that the issues raised in this case, including the erosion of administrative neutrality, the circumvention of jurisdictional thresholds, and the weaponization of declaratory judgment practice, warrant careful scrutiny beyond the immediate interests of the named parties.

7. *Amicus* has no direct financial interest in the outcome of this litigation and offers this submission solely to assist the Court's independent and informed evaluation of critical constitutional and jurisdictional questions arising from procedural misconduct.

8. Although the Court's Local Rules do not expressly govern the filing of *amicus curiae* briefs at the district court level, it remains firmly within this Court's inherent authority and discretion to permit such submissions where, as here, the matter implicates egregious violations of

procedural norms that, if left unchecked, could distort the structure of administrative and constitutional review.

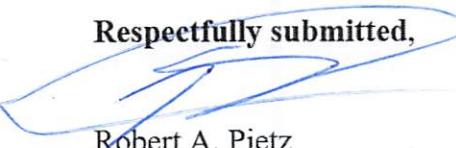
9. In addition to the present submission, *Amicus* includes a Declaration (**Exhibit B**) clarifying the procedural relationship between this case and Case No. 1:25-cv-10910-ADB (overseen by the same presiding judge), which raises materially overlapping jurisdictional and constitutional concerns.

10. *Amicus* also respectfully submits the previously prepared [Proposed] *Amicus Curiae* Brief in Case No. 1:25-cv-10910-ADB (**Exhibit C**), filed without amendment, supplemented by the procedural clarification provided in **Exhibit B**.

11. Granting leave to file will not delay proceedings, prejudice any party, or burden the orderly administration of justice. On the contrary, it will assist the Court in preserving critical jurisdictional thresholds and **maintaining the integrity of judicial review against attempts to subvert it through procedural manipulation**.

WHEREFORE, Robert A. Pietz, pro se, respectfully requests that the Court grant leave to file the attached [Proposed] *Amicus Curiae* Brief (**Exhibit A**), the accompanying Declaration (**Exhibit B**), and the related Proposed *Amicus Curiae* Brief (**Exhibit C**) in this matter.

Respectfully submitted,

  
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Dated: April 25, 2025